

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

<b>In the Matter of</b>	)	
	)	
<b>Proposed Allocation of Spectrum at 2360-2400 MHz for Wireless Medical Body Sensor Networks</b>	) ) ) )	<b>ET Docket No. 08-59</b>

**To the Commission:**

**Comments from Nickolaus E. Leggett  
N3NL Amateur Radio Operator**

I am a certified electronics technician (ISCET and NARTE) and an Extra Class amateur radio operator (call sign N3NL). I hold an FCC General Radiotelephone Operator License with a Ship Radar Endorsement. I am an inventor holding three U.S. Patents. My latest patent is a wireless bus for digital devices and computers (U.S. Patent # 6,771,935). I have a Master of Arts degree in Political Science from the Johns Hopkins University. My comments address the political science aspects of the proposed allocation.

**Back-Door Reallocation of Frequencies to Body Sensor Networks**

The allocation of these frequencies to body sensor networks (BSNs) would result in a de facto reallocation of the frequencies from the amateur radio service to the body sensor networks. This would occur because amateur radio operators would not want to cause harm to medical patients and so they would tend to stop using the frequencies in question. In addition to this basic altruism, they would also be concerned about possible civil law

suits arising from any medical damage resulting from amateur radio interference to BSN systems.

I do not know if this is an intentionally desired result on the part of the petitioners. However, it is quite clear that a de facto reallocation of the frequencies would occur.

### **A Trend for the Future?**

One can see a future trend where various interests propose “shared” allocations with amateur radio that will result in the amateur radio operators being displaced. These proposals would take advantage of the amateur radio operators’ strong sense of public service and community responsibility to get the amateurs to “voluntarily” cease use of a given spectrum band.

This places amateur radio in the undesirable position of being chased away from various desirable frequencies that are coveted by commercial radio interests. Eventually amateur radio would be relegated to “useless” frequencies the way they were in the early 20<sup>th</sup> Century.

### **Incompatible Sharing Partners**

The Commission should be careful in considering sharing partners with amateur radio to make sure that the sharing is compatible over a significant period of time. This would prevent the amateur radio service from being displaced. In this specific docket, the BSNs should be allocated to another microwave frequency band.

Respectfully submitted,

Nickolaus E. Leggett, N3NL  
1432 Northgate Square, #2A  
Reston, VA 20190-3748  
(703) 709-0752

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